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C O N F I D E N T I A L KUWAIT 001908

SIPDIS

STATE FOR NEA/ARPI

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TAGS: [PGOV](#) [KISL](#) [PTER](#) [KJUS](#) [KU](#) [ISLAMISTS](#) [TERRORISM](#)

SUBJECT: KUWAITI COURT SENTENCES VIOLENT JIHADISTS TO JAIL
TERMS; SOME JIHADIS STILL WANTED

REF: A. KUWAIT 1308

[B](#). 04 KUWAIT 2742

Classified By: Ambassador Richard LeBaron for reasons 1.4 (d).

[1](#)1. (U) Twenty Islamic extremists, including 18 Kuwaitis, were sentenced by the Criminal Court on May 8 in two separate cases for entering Iraq to fight U.S.-led forces, or providing training to others to fight there. Four others, three Kuwaitis and one bidoon (stateless Arab), were fined for low-level involvement. Penalties range from three-year jail terms to fines of USD 10,000. Only one of those sentenced, Kuwaiti Abdullah Matar Al-Shimmari, was in custody at the time of sentencing. Al-Shimmari was also the only defendant to be sentenced in both cases, receiving a total sentence of eight years in prison, including two years for attempting to enter Kuwait on a forged passport. Most of those sentenced on May 8 were released last year on KD 300 (USD 1,000) bail after being arrested during Kuwait's July 2004 militant crackdown. Three of the twenty convicted were minors extradited from Syria in 2004 and all three were tried as adults (ref B).

[1](#)2. (U) Two of the sentenced jihadists, Hamad Nawaf Al-Harbi and Khaled Abdullah Al-Dosari, are still at large. All of the defendants have 30 days to appeal the verdict in an appellate court. Osama Al-Munawer, attorney for 14 of the defendants and of firebrand Islamist cleric Hamad Abdullah Al-Ali, said he would file an appeal on behalf of his clients on May 9 (ref A).

[1](#)3. (C) Comment: These sentences represent unusually firm verdicts against militants in light of several recent examples of judicial leniency in similar cases. Despite the fact that Al-Harbi and Al-Dosari are on the run and possibly no longer in Kuwait, the remaining militants, save Abdullah Al-Shimmari, sentenced on May 8 are not in police custody and it is highly unlikely that any are under police surveillance. Twelve of the defendants were present during court hearings in March and most, if not all, are likely to remain in Kuwait throughout the appeals process. (Note: It is not unusual for convicted Kuwaiti criminals to be free on bail while awaiting an appeals court verdict. End Note.) Although there are few public details regarding the two cases against these convicted jihadists, given recent, lenient court decisions, the verdicts have an even chance of being overturned on appeal. Nonetheless, this case represents positive judicial progress in line with the GOK's position of standing firm against extremist violence and terror.

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